

117TH CONGRESS
1ST SESSION

H. R. 4166

To direct the Secretary of Housing and Urban Development to establish a grant program for planting of qualifying trees in eligible areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2021

Mrs. WATSON COLEMAN (for herself, Ms. BARRAGÁN, Mr. BLUMENAUER, Mr. BOWMAN, Ms. BUSH, Mr. CARSON, Ms. CHU, Ms. CLARKE of New York, Mr. CLEAVER, Mr. COHEN, Mr. EVANS, Mrs. HAYES, Mr. HUFFMAN, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. JONES, Ms. KAPTUR, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LOWENTHAL, Ms. MATSUI, Ms. MENG, Ms. NEWMAN, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Mr. SIRES, Mr. SOTO, Ms. STRICKLAND, Mr. SUOZZI, Ms. TLAIB, Ms. VELÁZQUEZ, Ms. WILLIAMS of Georgia, Ms. WILSON of Florida, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To direct the Secretary of Housing and Urban Development to establish a grant program for planting of qualifying trees in eligible areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Saving Hazardous And
5 Declining Environments Act” or the “SHADE Act”.

1 **SEC. 2. TREE PLANTING GRANT PROGRAM.**

2 (a) ESTABLISHMENT.—The Secretary of Housing
3 and Urban Development, in coordination with the Sec-
4 retary of Agriculture, acting through the Chief of the For-
5 est Service, shall establish a grant program under which
6 the Secretary shall award grants to eligible entities to
7 plant qualifying trees in eligible areas.

8 (b) APPLICATIONS.—

9 (1) IN GENERAL.—An eligible entity that seeks
10 to receive a grant under subsection (a) shall submit
11 an application to the Secretary at such time, in such
12 form, and containing such information as the Sec-
13 retary may require.

14 (2) CONTENTS.—An application submitted
15 under paragraph (1) shall include a 5-year timeline
16 and budget for the planting and maintenance associ-
17 ated with any qualifying trees awarded.

18 (3) COMMUNITY INVOLVEMENT.—The Secretary
19 shall require eligible entities to develop a public par-
20 ticipation plan to ensure that residents of the area
21 in which a project is to be implemented are involved
22 in decision-making about the project and such public
23 participation plan may include—

- 24 (A) opportunities for local non-profits to be
25 involved;
26 (B) opportunities for public input; and

(C) demonstrated support from the community.

3 (c) SELECTION.—

15 (d) USE OF AMOUNTS.—An eligible entity that re-
16 ceives a grant under subsection (a) shall use amounts pro-
17 vided to cover costs associated with—

(1) implementing the tree planting project in an eligible area, including—

(A) planning and designing the planting activity:

1 (2) maintaining and monitoring planted trees
2 for a period of up to 5 years to ensure successful es-
3 tablishment of the qualifying trees;

4 (3) training activities associated with the
5 project; and

6 (4) other relevant costs, as determined by the
7 Secretary.

8 (e) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out the Pro-
10 gram \$50,000,000 for each of fiscal years 2022 through
11 2032.

12 (f) DEFINITIONS.—In this section:

13 (1) ELIGIBLE ENTITY.—The term “eligible enti-
14 ty” means—

15 (A) a State, Territory, or Tribal agency;

16 (B) a local government entity;

17 (C) an Indian Tribe; and

18 (D) a nonprofit organization.

19 (2) ELIGIBLE AREAS.—The term “eligible area”
20 means a redlined area or an overburdened area.

21 (3) LIMITED ENGLISH PROFICIENCY HOUSE-
22 HOLD.—The term “limited English proficiency
23 household” means that a household does not have an
24 adult that speaks English “very well” as determined
25 by the United States Census Bureau.

1 (4) INDIAN TRIBE.—The term “Indian Tribe”
2 has the meaning given the term “Indian tribe” in
3 section 4 of the Indian Self-Determination and Edu-
4 cation Assistance Act (25 U.S.C. 5304).

5 (5) LOCAL GOVERNMENTAL ENTITY.—The term
6 “local governmental entity” means any municipal
7 government or county government with jurisdiction
8 over local land use decisions.

9 (6) OVERBURDENED AREA.—The term “over-
10 burdened area” means, as determined by the Sec-
11 retary, an area where—

12 (A) 35 percent or more of households qual-
13 ify as low-income households;

14 (B) 40 percent or more of residents iden-
15 tify as a minority or as members of a State-rec-
16 ognized tribal community; or

17 (C) 40 percent or more of households are
18 limited English proficiency households.

19 (7) NONPROFIT ORGANIZATION.—The term
20 “nonprofit organization” means an organization
21 that—

22 (A) is described in section 170(h)(3) of the
23 Internal Revenue Code of 1986; and

(B) operates in accordance with one or more of the purposes described in section 170(h)(4)(A) of that Code.

(8) QUALIFYING TREE.—The term qualifying tree means a tree that—

(A) is a species that is not an invasive species in the eligible area in which such tree is to be planted; and

(B) is not a species that is, in the eligible area at the time of planting, being attacked by an invasive species, unless the eligible entity has a plan to limit the risk of death of the tree to be planted.

(B) a census tract that was designated for non-White citizens in jurisdictions that historically had racially segregated zoning codes and are, as of the date of enactment of this Act, low-income communities.

1 (10) SECRETARY.—The term “Secretary”
2 means the Secretary of Housing and Urban Develop-
3 ment.

